S.B.Cr.Misc. Second Bail App. No.4353/2007

(Mukesh Kumar Khatik vs. State of Rajasthan)

Date of order : September 06, 2007

HON'BLE MR.H.R.PANWAR,J.

Mrs. Kausar Parveen, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

It is contended by the learned counsel for the petitioner that the head injury, which was ultimately found to be the cause of death, as per the postmortem report, has been assigned to co-accused viz. Sunil and Ratan alias Manoj Gurjar, though there is a single head injury and; these two co-accused have been granted bail by this Court vide order dt. 23.8.2007. It is further contended that there is no allegation against the present petitioner causing fatal injury to the deceased.

Having regard to the facts and circumstances of the case and the fact that co-accused Sunil and Ratan alias Manoj Gurjar have been granted bail by this Court, I consider it just and

proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mukesh Kumar Khatik s/o Sohan Khatik be released on bail in FIR No.01/2007, P.S. Asind, Distt. Bhilwara provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-